



PUBLIC NOTICE

Federal Communications Commission
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DA 02-868
April 15, 2002

800 MHz SPECIALIZED MOBILE RADIO SERVICE (SMR) GENERAL CATEGORY (851-854 MHz) AND UPPER BAND (861-865 MHz) AUCTION

APPLICATION ACCEPTED FOR FILING

AUCTION EVENT NO. 34

Pleading Cycle Established

Report No. AUC-34 (Auction No. 34)

The long-form application (FCC Form 601) of Silver Palm Communications, Inc. ("Silver Palm")¹ for 800 MHz SMR General Category and Upper Band licenses listed in Attachment A has been found, upon initial review, accepted for filing.² The Commission may return or dismiss any application if it is found, upon further examination, to be defective or not in conformance with the Commission's rules. *See* 47 C.F.R. § 1.934 (a), (d).

Petitions to deny the application listed in Attachment A must be filed no later than **April 25, 2002**, ten (10) days after the date of this Public Notice. *See* 47 C.F.R. § 1.2108(b). Oppositions to a petition to deny must be filed no later than **May 2, 2002**, five (5) business days after the filing date for petitions to deny. *See* 47 C.F.R. § 1.2108(c). Replies to oppositions must be filed no later than **May 9, 2002**, five (5) business days after the filing date for oppositions. *See* 47 C.F.R. § 1.2108(c). All pleadings filed regarding 800 SMR long-form applications should refer to **Report No. AUC-34 (Auction No. 34)**, as well as to the specific FCC file number of the individual application.

Due to the threat of contamination that resulted in the disruption of regular mail, the Commission released

¹ Silver Palm's waiver request regarding the late filing of its FCC Form 601 was previously granted. In the Matter of Silver Palm Communications, Inc., *Order* DA 02-850 (CWD Policy and Rules Branch rel. Apr. 12, 2002).

² *See* Wireless Telecommunications Bureau Grants 800 MHz Specialized Mobile Radio (SMR) Service General Category (851-854 MHz) and Upper Band (861-865 MHz) Auction Licenses, *Public Notice* (rel. Feb. 14, 2001); Wireless Telecommunications Bureau Grants 800 MHz Specialized Mobile Radio (SMR) Service General Category (851-854 MHz) and Upper Band (861-865 MHz) Auction Licenses, *Public Notice* (rel. Dec. 20, 2000) (granting applications of other Auction No. 34 winning bidders).

on November 29, 2001, an *Order*³ temporarily amending certain procedural rules on an emergency basis. Pleadings must be filed electronically (i.e., by e-mail or facsimile), by overnight delivery service (i.e., other than U.S. Postal Service Express and Priority Mail) or by hand delivery to the Commission's Massachusetts Avenue location.

- **If filed electronically** by e-mail, pleadings shall be filed at the following e-mail address: WTBSecretary@fcc.gov. Please also copy (CC) Amal Abdallah at Aabdalla@fcc.gov. For security purposes, we recommend that documents filed via electronic mail be converted to PDF format.
- **If filed by facsimile**, pleadings shall be faxed to 202-418-0187. The fax transmission should include a cover sheet listing contact name, phone number and, if available, an e-mail address. Please also fax a copy to Amal Abdallah, Room 4-A234, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-7447.
- **If filed by hand delivery**, documents shall be delivered to 236 Massachusetts Avenue, NE, Suite 110, Washington DC 20002.⁴ Please address copies of pleadings regarding the 800 SMR General Category Service long-form application to Amal Abdallah, Room 4-A234, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau.
- **If filed by overnight delivery service** (other than U.S. Postal Service Express and Priority Mail), filings must be received at the Commission's headquarters at 445 12th Street, S.W., Washington, D.C. 20554. As noted in the October 17 and October 18, 2001 public notices,⁵ the Commission will divert those deliveries to the Capitol Heights facility.

In addition, one copy of each pleading and comment must be delivered to the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington D.C., 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail qualexint@aol.com.

The application listed in Attachment A is available to the public for electronic viewing in the Commission's Universal Licensing System ("ULS"). Instructions for obtaining and using ULS are contained in Attachments B and C of this Public Notice.

After the pleading cycle, the Wireless Telecommunications Bureau will announce by further public notice the applicant to which the Commission is prepared to award licenses. The winning bidder will be required to pay the balance of its total winning bids in a lump sum payment within ten (10) business days following the release of the public notice announcing that the Commission is prepared to grant its licenses. See 47 C.F.R. § 1.2109(a). Licenses will be awarded upon the full and timely

³ See In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, FCC 01-345 (rel. Nov. 29, 2001).

⁴ See *Public Notice*, "FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence," DA 01-2919 (rel. Dec. 14, 2001).

⁵ See *Public Notice*, "FCC Announces Change in Filing Location for Paper Documents," DA 01-2436 (rel. Oct. 17, 2001); *Public Notice*, "FCC Announces Changes In Filing Procedures," DA 01-2430 (rel. Oct. 17, 2001); *Public Notice*, "Clarification on FCC's Announced Changes in Filing Procedures," DA 01-2451 (rel. Oct. 18, 2001).

payment of the winning bids and any applicable late fees.

Any amendments to FCC Form 601 applications must be filed electronically. For technical assistance in using ULS for viewing applications or making amendments to applications, contact the FCC Technical Support Hotline at (202) 414-1250 or, Bettye Woodward, at (202) 418-1345. The Technical Support Hotline generally will be available Monday through Friday, from 9 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded. Questions regarding procedural issues concerning the application should be directed to Amal Abdallah, at (202) 418-7307.

This Public Notice contains the following attachments:

Attachment A: List of Application Accepted for Filing – sorted by Applicant.

Attachment B: Instructions for Searching for Application Listed in Attachment A using ULS.

Attachment C: Instructions for Accessing the FCC Network Using Windows 95/98.